



# PLANNING COMMISSION MOTION NO. 21310

**HEARING DATE: APRIL 20, 2023**

**Record No.:** 2022-010833CUA  
**Project Address:** 1151 WASHINGTON STREET  
**Zoning:** RM-3 (Residential-Mixed, Medium-Density) Zoning District  
65-A Height and Bulk District  
**Cultural District:** N/A  
**Block/Lot:** 0213/025  
**Project Sponsor:** Dana Manea, MACY Architecture  
315 Linden Street  
San Francisco, CA 94102  
**Property Owner:** Alison & Todd Davis  
San Francisco, CA 94108  
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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 206.6, 209.2, 303 AND 317 TO PERMIT THE DEMOLITION OF A SINGLE-FAMILY DWELLING ON THE SUBJECT PROPERTY AND CONSTRUCT A FOUR-STORY, 40-FOOT TALL BUILDING CONTAINING 10 DWELLING UNITS (1 THREE-BEDROOM UNIT AND 9 TWO-BEDROOM UNITS), ONE OFF-STREET PARKING SPACE AND 10 CLASS 1 BICYCLE PARKING SPACES, UNDER THE INDIVIDUALLY REQUESTED STATE DENSITY BONUS PROGRAM AND SEEKING WAIVERS FROM DEVELOPMENT STANDARDS INCLUDING FRONT SETBACK (SECTION 132), REAR YARD (SECTION 134), DWELLING UNIT EXPOSURE (SECTION 140), AND BICYCLE PARKING (SECTION 155), PURSUANT TO PLANNING CODE SECTION 206.6 AND CALIFORNIA GOVERNMENT CODE SECTION 65915, WITHIN THE RM-3 (RESIDENTIAL-MIXED, MEDIUM-DENSITY) ZONING DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On November 7, 2022, Dana Manea of MACY Architecture (hereinafter "Project Sponsor") filed Application No. 2022-010833CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to permit the demolition of a single-family dwelling on the subject property and construct a four-story, 40-foot tall building containing 10 dwelling units (1 three-bedroom unit and 9 two-bedroom units), one off-street parking space and 10 Class 1 bicycle parking spaces (hereinafter "Project") at 1151 Washington Street, Block 0213 Lot 025 (hereinafter "Project Site").

On April 7, 2023, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

On April 20, 2023, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2022-010833CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-010833CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2022-010833CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Project includes the demolition of a single-family dwelling on the subject property and the construction of a four-story, 40-foot tall building containing 10 dwelling units (1 three-bedroom unit and 9 two-bedroom units), one unbundled off-street parking space and 10 Class 1 bicycle parking spaces. The larger three-bedroom unit would front directly onto Washington Street while the remaining nine units would be located behind, each with pedestrian access via a shared pathway along the east side lot line. The Project includes approximately 1,961 square feet of private open space on individual roof decks.
- 3. Site Description and Present Use.** The Project is located on the south side of Washington Street between Taylor and Mason Streets, on lot with an area of approximately 3,575 square feet, with approximately 26 feet of frontage along Washington Street. The Project Site contains an existing three-story single-family residence measuring approximately 3,050 square feet.
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the RM-3 Zoning District in the Nob Hill neighborhood and to the west of the Chinatown neighborhood. The immediate context is primarily developed with multi-family residential uses measuring three to four stories in height. The subject block also contains larger civic uses, including the Cable Car Barn and Museum and the Betty Ann Ong Recreation Center, which abuts the subject property on the east. Scattered ground-floor commercial uses are located along Mason Street to the east. Other zoning districts in the vicinity of the Project Site include: RC-3 (Residential-Commercial, Medium-Density), RH-3 (Residential, House – Three Family), and P (Public).

- 5. Public Outreach and Comments.** The Department has received approximately 108 letters in support of the project and approximately 8 letters in opposition to the proposed project. This opposition relates primarily to the project's potential shadowing on the adjacent open play area of Betty Ann Ong Recreation Center, lack of adequate off-street parking, impacts on the midblock open space and emergency access to the rear units in the event of a fire.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. Use.** Planning Code Section 209.2 permits up to one dwelling unit per 400 square feet of lot area in the RM-3 Zoning District.

*The subject property is approximately 3,575 square feet, which would allow for nine principally permitted dwelling units. The project proposes a total of 10 dwelling units through the Individually Requested State Density Bonus Program. The additional findings specified in Section 206.6 of the Planning Code have been incorporated in Subsection 8 below.*

- B. Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in a RM-3 Zoning District. This Code Section establishes criteria that the Planning Commission shall consider in the review of applications for Residential Demolition.

*The Project proposes the demolition of a single-family dwelling and therefore requires Conditional Use Authorization. The additional criteria specified under Section 317 have been incorporated as findings in Subsection 10 below.*

- C. Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback and not to be more than 15 feet.

*The adjacent property to the west is set back 4 feet from the front lot line and the adjacent property to the east fronts onto Mason Street, which results in a required front setback of four feet for the subject property. The project proposes no front setback, and is therefore requesting a waiver of this Planning Code requirement per State Density Bonus Law. The waiver of the front setback requirements is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915.*

- D. Rear Yard.** Planning Code Section 134 requires the project to provide a minimum rear yard equal to 25% of the total depth of the lot.

*The subject property is approximately 137 feet 6 inches in depth, which results in a required rear yard of approximately 34 feet 5 inches. The project proposes no rear yard and is therefore requesting a waiver of this Planning Code requirement per State Density Bonus Law. The waiver of the rear yard requirements is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915.*

- E. **Useable Open Space.** In the RM-3 Zoning District, Planning Code Section 135 requires 60 square feet of useable open space for each dwelling unit if all private open space or 80 square feet of common usable open space for each dwelling unit.

*The Project contains a total of ten dwelling units, and each has access to qualifying private usable open space. The three-bedroom unit fronting directly onto Washington Street has access to a 500 square-foot private roof deck, while the remaining nine units each have access to private roof decks measuring approximately 162 square feet.*

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

*The three-bedroom unit has direct exposure onto Washington Street. The remaining nine units do not meet minimum exposure requirements; therefore, the project is requesting a waiver of this Planning Code requirement per State Density Bonus Law. The waiver of the dwelling unit exposure requirements is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915.*

- G. **Street Frontages.** Section 144 of the Planning Code requires that no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is setback from any such lot line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than ten feet in width.

*The Project complies as access to the off-street parking entrance will not exceed 10 feet and the minimum 1/3 width visual relief at the ground story street frontage will be provided.*

- H. **Off-Street Parking.** Planning Code Section 151 does not require a minimum number of off-street parking spaces and permits a maximum of 1.5 parking space for each dwelling unit.

*The Project will provide one unbundled off-street parking space within the proposed garage.*

- I. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit. Class 1 spaces shall be located with direct access for bicycles without requiring use of stairs. The location of such spaces shall allow bicycle users to ride to the entrance of the space or the entrance of the lobby leading to the space. The design shall provide safe and convenient access to and from bicycle parking facilities. Safe and convenient means include, but are not limited to, ramps and wide hallways as described below. Escalators and stairs are not considered safe and convenient means of ingress and egress and shall not be used. Bicycle parking shall be at least as conveniently located as the most convenient nondisabled car parking provided for the subject use.

*The Project proposes ten Class 1 bicycle parking spaces; one within the proposed garage and one in a bicycle closet on the ground floor of each of the two-bedroom units. Access to these spaces will require users to walk their bicycles up several stairs along the east side of the site; therefore, the project is requesting a waiver of this Planning Code requirement per State Density Bonus Law. The waiver of the*

*bicycle parking requirements is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915.*

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 10 points.

*The Project submitted a completed Environmental Evaluation Application on December 14, 2022. Therefore, the Project must achieve 100% of the point target established in the TDM Program Standards, resulting in a required target of 10 points. As currently proposed, the Project will achieve 13 points through the following TDM measures*

- Parking Supply
- Unbundled Parking

- K. **Height and Bulk.** Planning Code Sections 260 and 270 requires that all structures be no taller than the height prescribed in the applicable height and bulk district. The Project is located in a 65-A Height and Bulk District, with a 65-foot height limit.

*The proposed project has a height of 40 feet and is within the prescribed height and bulk limits.*

- L. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*The Project is situated immediately to the west of an open play area that is part of the Betty Ann Ong Recreation Center. The height of the Project does not exceed the 40-foot threshold of Planning Code Section 295 regulating projects that may have an adverse impact on parks and open space within the jurisdiction of the Recreation & Park Commission.*

- M. **Residential Child-Care Impact Fee.** Planning Code Section 411 is applicable to any residential development that results in at least one new residential unit.

*The Project includes approximately 11,046 gross square feet of newly constructed residential use. This use is subject to Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A. This fee must be paid prior to the issuance of the building permit application.*

- N. **Inclusionary Affordable Housing Program Impact Fee (“Affordable Housing Fee”).** Planning Code Section 415 is applicable to any project resulting in 10 or more dwelling units.

*The Project includes new construction of 10 dwelling units, however the Inclusionary Affordable Housing Program Impact Fee, as outlined in Planning Code Section 415, applies only to the base project for*

*projects utilizing the State Density Bonus Program. The base project in this instance would result in only nine units; therefore, the Project is not subject to the Inclusionary Affordable Housing Program Impact Fee.*

- 7. Inclusionary Affordable Housing Program for State Density Bonus Projects.** The Inclusionary Affordable Housing Program applies to projects with a base density of 10 or more dwelling units. Under the State Density Bonus Law, Government Code section 65915 et seq, a project is entitled to a density bonus, concessions and incentives, and waivers of development standards only if it provides on-site Affordable Units.

*The Project Sponsor will provide one (1) Affordable Unit on-site to be sold to households earning 120% area medium income, which allows the sponsor to qualify for a 5% density bonus. Additional information is available in the table below. Because the base density of the site is nine (9) units, the project is not subject to the Inclusionary Affordable Housing Program, including the Affordable Housing Fee. As further described in Planning Director Bulletin 6, the on-site affordable units provided to qualify for a density bonus under the State Law shall be administered through the Mayor’s Office of Housing and Community Development and subject to the Inclusionary Housing Procedures Manual.*

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| PRJ/EEA Accepted Date                                | December 13, 2022  |
| Project Tenure                                       | Ownership  |
| Zoning District                                      | RM-3 Zoning District                                       |
| Total On-Site Affordable Units                       | 1  |
| AMI Levels   | 1 @ moderate (120% AMI) to qualify for State Density Bonus |
| Affordable Unit Mix                                  | One 2-Bedroom (SDB Unit)                                   |
| Total Residential Floor Area                         | 11,046 sf  |
| Base Residential Floor Area or Base Units (SDB only) | 9 dwelling units   |
| % Density Bonus                                      | 5%   |

- 8. Individually Requested State Density Bonus Findings.** Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession, or Waiver for any Individually Requested Density Bonus Project:

- A. The Housing Project is eligible for the Individually Requested Density Bonus Program.

*The Project consists of five or more dwelling units on a site in the RM-3 Zoning District that is currently developed as a single-family dwelling. Its status under the San Francisco Rent Stabilization and Arbitration Ordinance is the purview of the Rent Board, however it is assumed that it is not subject to price controls as it is owner-occupied. As such, the project is eligible for the Individually Requested*

*Density Bonus Program.*

*The base density study for the project includes nine units. The Project provides at least 10% of the dwelling units in the base density study (1 unit) as affordable to moderate income households, defined as those earning 120% of area median income, and is therefore entitled to a 5% density bonus (amounting to 1 unit) under California Government Code Sections 65915 et sec.*

- B. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

*The Project is not seeking any concessions or incentives under the Individually Requested Density Bonus Program.*

- C. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

*In order to achieve the proposed residential density, the Project is requesting waivers from Front Setback (Section 132), Rear Yard (Section 134), Dwelling Unit Exposure (Section 140), and Bicycle Parking (Section 155). Without the waivers, the Project would be physically precluded from constructing the additional dwelling unit as permitted under the Individually Requested Density Bonus Program, thus preventing the Project from achieving a 5% density bonus.*

- D. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

*The Density Bonus for the Project is not based on any donation of land.*

- E. If the Density Bonus or Concession/Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

*The Project does not include a Child Care Facility.*

- F. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

*The Project is not seeking any concessions or incentives under the Individually Requested Density Bonus Program.*

- 9. Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project site is in the RM-3 (Residential-Mixed, Medium-Density) Zoning district and a 65-A Height and Bulk District. RM Districts are intended to recognize, protect, conserve and enhance areas characterized by a mixture of houses and apartment buildings, covering a range of densities and building forms according to the individual district designations. Despite the range of densities and building sizes, most structures are of a scale that respects the traditional lot patterns, open spaces and articulation of façades typical of San Francisco neighborhoods. These Districts provide unit sizes and types suitable for a variety of households, and contain supporting nonresidential uses.*

*The size of the Project and the units within the proposed four-story, ten-unit building is in keeping with other residential properties in the neighborhood. The Project is necessary and desirable because it will replace a single-family dwelling with a new building that maximizes the allowable density of the lot and provides a below market rate unit that would not otherwise be required through the State Density Bonus program. In the context of State Density Bonus law, the property is compliant with applicable Design Guidelines and contributes to the mixed visual character of the neighborhood. Overall, the Project is proposing to increase the total number of dwelling units, while maximizing the amount and types of housing in the neighborhood to serve a wide variety of people, including a range of income, ages, and household and family compositions. As such, the project is necessary, desirable and is compatible with the neighborhood.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project has been designed to be compatible with its surroundings and, in the context of State Density Bonus Law, would be appropriate for the location. The building has a height of 30 feet at the building's front and the remaining building height of 40 feet is 25 feet less than the maximum height permitted in the 65-A Height and Bulk District which is appropriate for the site location. The Project is designed to visually divide the building on the deep lot by expressing a vertical orientation for each of the two-bedroom units by the use of projections, windows, and other details, while using common elements found in the vicinity, including walk-up units and compatible building materials. The proposed size, shape, and topographical arrangement of the Project will also match that of neighboring structures, and the Project overall will aesthetically enhance the neighborhood.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking or loading for a 10-unit residential building, however one off-street parking space is proposed. The Project provides 10 Class 1 bicycle parking spaces. The existing 13-foot curb cut will be reduced to 10 feet, meeting the Department's standard width,*

*thereby providing additional space for on-street parking.*

*The Project will increase housing density in a location near several MUNI transit services and will provide unbundled off-street parking and bicycle parking for residents and their guests. The Project is within walking distance to 12 MUNI lines and 56 MUNI stops. The project is not anticipated to impede MUNI transit service or overburden streets or neighborhood parking, as the Project will provide multiple transportation options. The proposed use is designed to meet the needs of the immediate neighborhood, should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed Project includes a residential use consistent with the surrounding properties and is not likely to add noxious or offensive emissions.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The Project will replace a single-family dwelling with a thoughtfully-designed, visually-appealing, ten-unit residential building and will provide usable open space as required by the Planning Code via private roof decks. The proposed off-street vehicle parking space are accessed by a 10-foot-wide curb cut, meeting the Department's standard width. A minimum of one required street tree will be added within the public right of way in front of the site. The tree's ultimate location will be subject to the subsequent determination of precise underground utility requirements. The facade treatment and materials of the building will be appropriately selected to be compatible with the surrounding neighborhood and meet applicable Design Guidelines.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The proposed project is consistent with the stated purpose of RM Districts in that the project design enhances the area, provides a mixture of housing types in the form of a multi-family development within an area well served by transit.*

- 10. Residential Demolition Findings.** Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met pursuant to Section 317(g)(6):

- a) Whether the property is free of a history of serious, continuing code violations;

*A review of the Department of Building Inspection and the Planning Department databases showed no open enforcement cases or notices of violation (NOV) for the subject property of the Department of Building Inspection and the Planning Department databases showed no open enforcement cases or notices of violation (NOV) for the subject property.*

- b) Whether the housing has been maintained in a decent, safe, and sanitary condition;

*The existing building appears to be in decent, safe, and sanitary condition with an original construction date circa 1940.*

- c) Whether the property is a "historical resource" under CEQA;

*Although the existing building is more than 50 years old, a review of supplemental information resulted in a determination that the property is not a historical resource.*

- d) Whether the removal of the resource will have a substantial adverse impact under CEQA;

*The existing building is not a historical resource and its removal will not have any substantial adverse impacts under CEQA.*

- e) Whether the Project converts rental housing to other forms of tenure or occupancy;

*The Project does not convert rental housing to other forms of tenure.*

- f) Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

*The Planning Department cannot definitively determine whether or not the single-family home is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board.*

- g) Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

*Although the Project proposes the demolition of a single-family dwelling, there will be a net gain of nine units at the project site. The project would be consistent with the density and development pattern as it would provide 10 four-story dwellings within a neighborhood that is comprised of residential uses at varying densities.*

- h) Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

*The project will improve cultural and economic diversity by constructing ten new dwelling units, one being family-sized, thereby maximizing the density of the site in a manner consistent with the applicable Design Guidelines and provisions of the RM-3 Zoning District.*

- i) Whether the Project protects the relative affordability of existing housing;

*The Project removes one dwelling unit, which is generally considered more affordable than more recently constructed units. The Project results in 10 dwelling units within a new building that maximizes the allowed density of the lot and provides a below market rate (BMR) unit by use of the State Density Bonus Law. Overall, the Project is proposing to increase the total number of dwelling units, while maximizing the amount and types of housing in the neighborhood to serve a wide variety of people, including a range of income, and household and family compositions, and will contribute positively to the City's housing stock.*

- j) Whether the Project increases the number of permanently affordable units as governed by Section 415;

*One affordable unit will be restricted at 120% AMI to qualify for a 5% bonus under State Density Bonus Law.*

- k) Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

*The Project represents the redevelopment on a parcel within an established neighborhood at a dwelling unit density consistent with the requirements of the RM-3 Zoning District and State Density Bonus Law.*

- l) Whether the project increases the number of family-sized units on-site;

*The Project proposes one 3-bedroom dwelling unit and nine 2-bedroom units, thereby resulting in an increase of nine family-sized units on the site.*

- m) Whether the Project creates new supportive housing;

*The Project does not create supportive housing.*

- n) Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

*On balance, the overall scale, design, and materials of the proposed building is consistent with the block face and complement the neighborhood character. The façade treatment and materials of the building have been appropriately selected to be compatible with the surrounding neighborhood. The Project is compliant with the Ground Floor Residential Design Guidelines, Urban Design Guidelines and contributes to the mixed visual character of the neighborhood.*

- o) Whether the Project increases the number of on-site dwelling units;

*The Project will result in a net gain of nine dwelling units.*

- p) Whether the Project increases the number of on-site bedrooms.

*The Project proposes one 3-bedroom unit and nine 2-bedroom units, thereby resulting in an increase of 18 bedrooms on the site.*

- q) Whether or not the replacement project would maximize density on the subject lot; and,

*The Project proposes 10 units and maximizes the density on the property by use of the State Density Bonus Law, as the RM-3 Zoning principally permits up to nine units on the lot.*

- r) If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all the existing units with new dwelling units of a similar size and with the same number of bedrooms.

*The project will demolish one residential unit containing three bedrooms and will construct ten dwelling units ranging from one-to-three bedrooms and 939 to 2,065 square feet in size. The existing single-family dwelling was constructed prior to 1979 and can be assumed to be subject to eviction controls under the Rent Ordinance.*

- 11. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

**HOUSING ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1.B**

**ADVANCE EQUITABLE HOUSING ACCESS.**

Policy 5

Improve access to the available Affordable Rental and Homeownership units especially for disproportionately underserved racial and social groups.

**OBJECTIVE 3.B**

**CREATE A SENSE OF BELONGING FOR ALL COMMUNITIES OF COLOR WITHIN WELL-RESOURCED NEIGHBORHOODS THROUGH EXPANDED HOUSING CHOICE.**

Policy 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network33 and other transit.

**OBJECTIVE 4.A**

**SUBSTANTIALLY EXPAND THE AMOUNT OF PERMANENTLY AFFORDABLE HOUSING FOR EXTREMELY LOW- TO MODERATE-INCOME HOUSEHOLDS.**

Policy 19

Enable low and moderate-income households, particularly American Indian, Black, and other people of color, to live and prosper in Well-resourced Neighborhoods by increasing the number of permanently affordable housing units in those neighborhoods.

Policy 23

Retain and increase the number of moderate- and middle-income households by increasing their homebuying opportunities and reversing the shortage in housing that is affordable to these households.

Policy 24

Enable mixed-income development projects to maximize the number of permanently affordable housing units constructed, in balance with delivering other permanent community benefits that advance racial and social equity.

Policy 28

Affirm compliance in State housing law, requirements, and intent by strengthening data collection, clarifying definitions, and further supporting implementation.

**OBJECTIVE 4.B**

**EXPAND SMALL AND MID-RISE MULTI-FAMILY HOUSING PRODUCTION TO SERVE OUR WORKFORCE, PRIORITIZING MIDDLE-INCOME HOUSEHOLDS.**

Policy 25

Reduce governmental constraints on development in Well-resourced Neighborhoods to enable small and mid-rise multi-family buildings providing improved housing choice and affordability.

Policy 26

Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

Policy 31

Facilitate small and mid-rise multi-family buildings that private development can deliver to serve middle-income households without deed restriction, including through adding units in lower density areas or by adding Accessory Dwelling Units (ADUs).

**OBJECTIVE 4.C**

**DIVERSIFY HOUSING TYPES FOR ALL CULTURES, FAMILY STRUCTURES, AND ABILITIES.**

Policy 7

Pursue permanently affordable housing investments that are specific to the geographic, cultural, and support needs of recently arrived or newly independent residents or residents from marginalized groups, including transgender and LGBTQ+ people.

Policy 33

Prevent the outmigration of families with children and support the needs of families to grow.

**OBJECTIVE 5.A**

CONNECT PEOPLE TO JOBS AND THEIR NEIGHBORHOOD WITH NUMEROUS, EQUITABLE, AND HEALTHY TRANSPORTATION AND MOBILITY OPTIONS.

Policy 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**OBJECTIVE 1**

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

**TRANSPORTATION ELEMENT**

Objectives and Policies

**OBJECTIVE 2**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

**OBJECTIVE 11**

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.3:

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

**OBJECTIVE 28**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

Provide secure bicycle parking in new governmental, commercial, and residential developments.

**OBJECTIVE 34**

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan, including the newly adopted Housing Element. The Project Site is within a medium-density residential zoning district, which encourages both medium scale residential infill development that maximizes the amount and types of housing in the neighborhood to serve a wide variety of people, including a range of incomes, ages, and household and family compositions. The Project will replace an existing three-story single-family dwelling with a four-story 10-unit building, well below the height limit of 65 feet. One on-site affordable housing unit will be provided, which will assist in meeting the City's affordable housing goals. The Project is also in proximity to ample public transportation and provides one unbundled off-street vehicle parking space and ten bicycle parking for residents and their guests.*

*The Project utilizes a contemporary architectural style that is sensitive to the site's topography, scale and surrounding neighborhood fabric. The Project provides for a high-quality designed exterior, which, in the context of State Density Bonus law, will compliment features elements and materials found in the immediate vicinity and broader neighborhood, and features walk up residential units consistent with the Guidelines for Ground Floor Frontage Design.*

**12. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The project site is not occupied by any neighborhood-serving retail uses. The Project provides 10 new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The area surrounding the Project has a mixture of housing typologies, including single-family homes as well as multi-family dwellings. The Project would replace a large three-bedroom single-family dwelling with ten more modestly-sized dwellings. The Project would provide family-sized housing opportunities for homeownership and, thereby, not only preserve, but enhance, the cultural and economic diversity of the neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The site currently contains an owner-occupied single-family home and, thus, the Project would not remove existing affordable housing. The base density only allows for nine (9) units and, therefore, a Code-complying housing development under local regulations would not be subject to the City's Inclusionary Housing Ordinance. However, since the Project is proposed per the State Density Bonus Law, one of the units will be permanently affordable. Accordingly, the Project would enhance the City's supply of affordable housing.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project will not impede transit service, or overburden streets or neighborhood parking. In lieu of the two-car garage in the existing single-family home, the Project proposes a one-car garage with a van-accessible, unbundled, parking space serving the entire 10-unit development. The Project location is situated in a walkable context served by abundant transit, with multiple cable car and MUNI bus lines in the vicinity. Such a context is ideal for development containing higher residential density than the existing single-family dwelling.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The site contains no industrial or service sector uses. The Project includes no office uses and would not impact resident employment or ownership of industrial or service sector businesses.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The Project Site is not occupied by any City Landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project is situated immediately to the west of an open play area that is part of the Betty Ann Ong Recreation Center. The height of the Project does not exceed the 40-foot threshold of Planning Code Section 295 regulating projects that may have an adverse impact on parks and open space within the jurisdiction of the Recreation & Park Commission.*

- 13. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

- 14.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 15.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2022-010833CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated March 17, 2023, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 20, 2023.

*Laura Lynch*

Laura Lynch  
Acting Commission Secretary

AYES: Braun, Diamond, Tanner, Koppel

NAYS: Moore, Imperial

ABSENT: Ruiz

ADOPTED: April 20, 2023

# EXHIBIT A

## Authorization

This authorization is for a conditional use to allow the demolition of a single-family dwelling on the subject property and the construction of a four-story, 40-foot tall building containing 10 dwelling units (1 three-bedroom unit and 9 two-bedroom units), one unbundled off-street parking space and 10 Class 1 bicycle parking spaces located at 1151 Washington Street, Block 0213, and Lot 025 pursuant to Planning Code Sections 206.6, 209.2, 303 and 317 within the RM-3 Zoning District and a 65-A Height and Bulk District; in general conformance with plans, dated March 17, 2023, and stamped "EXHIBIT B" included in the docket for Record No. 2022-010833CUA and subject to conditions of approval reviewed and approved by the Commission on April 20, 2023 under Motion No. **21310**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 20, 2023 under Motion No. **21310**.

## Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **21310** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

## Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

## Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Design – Compliance at Plan Stage

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on refining the building design to ensure more neighborhood friendly materiality on the visible facades. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

7. **Building Permit Review.** Should the Fire Department, during their review of the building permit, require any increase in building volume, as determined by the Zoning Administrator, the project shall be brought back to the Planning Commission for their review and approval.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

9. **Laundry Facilities.** The Project Sponsor shall provide sufficient on-site laundering access for residential occupants through on-site communal laundry facilities, individual in-unit laundry hook-ups, or some combination thereof.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

11. **Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Any required transformer vault shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

## Parking and Traffic

- 12. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the TDM Performance Manager at [tdm@sfgov.org](mailto:tdm@sfgov.org) or 628.652.7340, [www.sfplanning.org](http://www.sfplanning.org)*

- 13. Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 14. Bicycle Parking.** The Project shall provide no fewer than 10 Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 15. Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than fifteen (15) off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

**16. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Provisions

**17. Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

**18. First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415.581.2335, [www.onestopSF.org](http://www.onestopSF.org)*

**19. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

**20. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sfplanning.org](http://www.sfplanning.org)*

## Affordable Units

The following Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of the Site Permit.

*For information about compliance on any of the Conditions noted below, contact the Planning Department at 628-652-7600 or at [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, or at [www.sfmohcd.org](http://www.sfmohcd.org).*

**21. State Density Bonus Regulatory Agreement.** Recipients of development bonuses under this Section 206.6 shall enter into a Regulatory Agreement with the City, as follows.

- A. The terms of the agreement shall be acceptable in form and content to the Planning Director, the Director of MOHCD, and the City Attorney. The Planning Director shall have the authority to execute such agreements.
- B. Following execution of the agreement by all parties, the completed Regulatory Agreement, or memorandum thereof, shall be recorded and the conditions filed and recorded on the Project.
- C. The approval and recordation of the Regulatory Agreement shall take place prior to the issuance of the First Construction Document. The Regulatory Agreement shall be binding to all future owners and successors in interest.
- D. The Regulatory Agreement shall be consistent with the guidelines of the City's Inclusionary Housing Program and shall include at a minimum the following:
  - i. The total number of dwelling units approved for the Project, including the number of restricted affordable units;
  - ii. A description of the household income group to be accommodated by the Restricted Units, and the standards for determining the corresponding Affordable Sales Price. If required by the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), the project sponsor must commit to completing a market survey of the area before marketing restricted affordable units;
  - iii. The location, dwelling unit sizes (in square feet), and number of bedrooms of the restricted affordable units;
  - iv. Term of use restrictions for the life of the project;
  - v. A schedule for completion and occupancy of restricted affordable units;
  - vi. A description of any Concession, Incentive, waiver, or modification, if any, being provided by the City;
  - vii. A description of remedies for breach of the agreement (the City may identify tenants or qualified purchasers as third party beneficiaries under the agreement); and
  - viii. Other provisions to ensure implementation and compliance with Section 206.6.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7359, [www.sf-planning.org](http://www.sf-planning.org), or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**22. Number of Required Units.** Pursuant to the State Density Bonus Law (CA Govt. Code Section 65915, the Project is required to provide 10% of the proposed dwelling units in the nine-unit base project as Affordable to Qualifying Households. The base Project contains nine (9) units; therefore, one (1) affordable unit is required. The Project will fulfill this requirement by providing the affordable unit on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from the Planning Department in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

- 23. Unit Mix.** The Project contains 9 two-bedroom and 1 three-bedroom units; therefore, the required affordable unit mix is 1 two-bedroom unit. If the overall unit mix of the Project changes, the affordable unit mix will be modified accordingly with written approval from the Planning Department in consultation with MOHCD.
- 24. Unit Tenure.** The project, including the affordable unit, is an Ownership Housing Project as defined in Section 415.2. If the Project changes from an Ownership Housing Project to a Rental Housing Project shall require Planning Commission approval pursuant to Planning Code Section 415.5(g)(5). Conversion from an Owned Unit to a Rental Unit shall follow the procedures set forth in the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").
- 25. Income Levels for Affordable Units.** Pursuant to the State Density Bonus Law, the Project is required to provide 10% of the proposed dwelling units as affordable to qualifying households at a price of 120% of Area Median Income ("AMI"), as published by MOHCD and that is adjusted for household size.

The Affordable Units shall be sold to moderate-income households, as defined as households earning 120% of AMI in the California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the price and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. The initial and subsequent resale prices of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- 26. Notice of Special Restrictions.** Prior to the issuance of the architectural addendum or twelve months prior to the first certificate of occupancy, whichever is earlier, the Project Sponsor shall record a Notice of Special Restrictions on the property that contains these conditions of approval and a reduced set of plans that identify the Affordable Units satisfying the requirements of this approval. The Project Sponsor shall comply with Zoning Administrator Bulletin No. 10 or any other affordable housing designation standards published by the Planning Department and updated periodically. The Project Sponsor shall provide a copy of the recorded Notice of Special Restrictions to the Planning Department and MOHCD or its successor prior to the issuance of the architectural addendum. If a Project does not anticipate an architectural addendum, then the Notice of Special Restrictions shall be recorded prior to the issuance of the Building Permit. Following the designation of Affordable Units, changes to the overall residential square footage or to any unit within the Project require written approval from the Planning Department in consultation with MOHCD who will determine if the changes are consistent with Zoning Administrator Bulletin No. 10.
- 27. Construction Timeline.** Prior to the issuance of the Site Permit, the Project Sponsor shall submit an estimated construction timeline to the Department in accordance with Section 415.6(g).
- 28. Phasing.** If any building permit is issued for partial phasing of the Project, the Project shall have designated not less than ten percent (10%) of each phase's total number of dwelling units as on-site Affordable Units.
- 29. Duration.** The affordable unit provided under the State Density Bonus Law shall be affordable for a period of 55 years from the date of the initial occupancy.

**30. Procedures Manual.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), as amended from time to time. The Procedures Manual is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <https://sfmohcd.org/inclusionary-housing-program-manuals>

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for initial sale and resale.

- a) Comparability. The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building floor plates; (3) be of comparable overall quality, construction, and exterior appearance as the market rate units in the project; and (4) be maintained in the same manner as the market units. The interior features in Affordable Units should be generally the same as those of the market units in the project, but need not be the same make, model, or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in Zoning Administrator Bulletin No. 10 and the Procedures Manual. Any material changes to an affordable unit following recordation of the Notice of Special Restrictions (referenced in Section 8) requires written approval from the Planning Department in consultation with MOHCD.
- b) Tenure. The project is an Ownership Housing Project. Therefore, the affordable unit(s) shall be sold to qualified moderate-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c) Marketing. The Project Sponsor is responsible for following the marketing requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of Affordable Units. The Project Sponsor shall submit a request for pricing determination from MOHCD at least eight months prior to first certificate of occupancy.
- d) Parking. The one (1) total number of parking spaces offered to residential buyers in the Project shall be made available to buyers of Affordable Units according to the Procedures Manual.

**31. Compliance.** If the Project fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of the Project's compliance. The Planning Department, MOHCD and City Attorney's Office may also enforce against violations of the Inclusionary Affordable Housing program. A Project's failure to comply with the requirements of Planning Code Section

415 et seq. shall constitute cause for the City to record a lien against the Project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

## Monitoring - After Entitlement

- 32. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 33. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

- 34. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

- 35. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

# PROJECT DESCRIPTION

## OVERVIEW

The site is a single 3,575 sf parcel (Block 0213 Lot 025.) The parcel is 26'-0" wide x 137'-6" deep. It slopes up from the street with an average gradient of approximately 18% (+24.84'; front-to-back) and has an average cross-slope at the sidewalk of approximately 13%.

It is located in the RM-3 "Residential Mixed, Medium Density" Zoning District and 65-A Height/Bulk District. It contains an existing 3-story, approximately 3,050 sf\* single-family home built in 1940 that has been determined by the Planning Department to not be an historic resource\*.

(\*Note: Per SF Planning Executive Summary - Conditional Use Authorization -2019-005907 CUA dated 1/11/2021)

## THE "BASE DENSITY"

RM-3 Zoning allows up to (1) unit per 400 sf of lot area. Accordingly, the "Base Density" is (9) dwelling units (3,575 sf / 400 sf/unit = 8.94; round up to 9).

## THE "BONUS PROJECT"

The (Bonus) Project proposes (10) for-sale townhome-type dwelling units. It will be a maximum of 4 stories over 1 basement level; with a maximum height of +40'-0".

One unassigned accessible parking space is proposed. Each 2B Townhome will have its own "Bike Closet" (w/ Class 1 parking) within the unit. To facilitate ease of use, a "bike ramp" will be provided along the east side of steps accessing these units.

## THE ARCHITECTURE

The proposed Project follows the natural topography of the site and is compatible with the mixed visual and volumetric character of the surrounding neighborhood.

Like the single-family homes that are upslope to the west, it is built out to the full lot depth. At 4-stories and 40-feet in height -well below the permitted height of 65 feet- it is similar in size and scale to all of its residential neighbors.

Weathering steel (aka "CorTen") is the primary façade material. This robust and low-maintenance material naturally patinas to a rich variegated reddish brown, and functions as a contemporary analogue to the historic brickwork of the nearby Cable Car Museum, the terracotta stucco of the neighboring Betty Ann Ong Recreation Center, as well as the red-painted wood siding of the immediately adjacent 1165 Washington.

## PROPOSAL FOR CONCESSIONS, INCENTIVES, AND WAIVERS

The SDBL allows unlimited "Waivers" of any development standard that would physically prevent the Project from being built up to the allowable density and (1) "Concession" from any development standard in order to reduce costs. The following are required to achieve the density bonus and realize the Project:

**WAIVER 1. REAR YARD (Sec. 134):** Waive rear yard requirement because compliance would preclude the development of a 5% increase in Unit density.

**WAIVER 2. EXPOSURE (Sec. 140):** Waive the dwelling unit exposure requirement because compliance would preclude the development of a 5% increase in Unit density.

*Note: The proposed Project is compliant with SF Building Code Secs. 1204, 1205 and Table 705.8-note f.*

**WAIVER 3. BICYCLE PARKING (Sec. 155.2):** Waive bicycle location requirements because compliance would preclude the development of a 5% increase in Unit density.

*Note: A total of (10) Class 1 bicycle parking spaces will nevertheless be accommodated within the Project. (See "Bonus Project" description above.)*

The Project Sponsor proposes to demolish the existing structure and redevelop the property per the State's Density Bonus Law (California Government Code Sections 65915-65918) into a multi-family project consisting of (10) for-sale townhomes.

*This is an application pursuant to Mayor Executive Directive 17-02, which mandates expedited approval and permitting of the Project. This is also an application of a development permit pursuant to the Permit and Streamlining Act (Section 65920 et seq. of the California Government Code) and Section 15101 of the CEQA Guidelines. State Law requires the City to determine whether the application is complete within 30 days from submittal. If no written determination is made within 30 days, the application is deemed complete by operation of the Law on the 30th day..*

The 3B Townhome will have (1) Class 1 bike space within the shared garage. The required (1) Class 2 space will be provided within the "furnishing zone" of the sidewalk public right-of-way.

The State Density Bonus Law (SDBL) entitles a for-sale Project with a maximum 5% density bonus if at least 10% of its Base Density Units are affordable to moderate-income households (i.e., 120% Area Median Income). Since (1) below-market-rate unit at moderate income will be provided ( $9 \times 0.10 = 0.90$ ; round up to 1), the SDBL allows 1 "Bonus Unit" ( $9 \times 0.05 = 0.45$  round up to 1.)

Typologically, the project consists of (10) individual townhomes. The largest one (3-Bedroom; 2,065 sf) faces -- and is directly accessed from -- the street and the nine others (2-Bedroom; 937 sf each) are entered off of a 5-foot wide pathway (w/ "bike ramp") stepping up along the eastern edge of the property that overlooks the outdoor play area of the recreation center.

The nine affordable-by-design 2-Bed/2-bath townhomes have "Dutch" front doors (each with its own unique color), large windows for abundant natural light, air and views and planter boxes to activate the facades with contrasting greenery.

Given the tight space constraints of the spiral stairways within these compact homes, each is equipped with an exterior hoist to facilitate the moving of furniture and other bulky items from the outside -- like one finds in classic Amsterdam canal houses. Additionally, each will have rooftop usable open space with surrounding walls to ensure privacy for all.

**WAIVER 4. INTERIM ZONING CONTROLS - LARGE RESIDENTIAL PROJECTS IN RM ZONING DISTRICT (Board File 201370, Resolution 10-21.)**

Waive restrictions on Unit size (triggering Conditional Use Authorization) as it would preclude the development of a 5% increase in Unit density.

**WAIVER 5. FRONT YARD (Sec. 132):** Waive front yard setback requirement because compliance would preclude the development of a 5% increase in Unit density.

# 1151 WASHINGTON

## (10) FOR-SALE TOWNHOMES

## CONDITIONAL USE APPLICATION (CUA)

## FOR AN INDIVIDUALLY-REQUESTED STATE DENSITY BONUS PROJECT

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BIRDSEYE VIEW LOOKING WEST

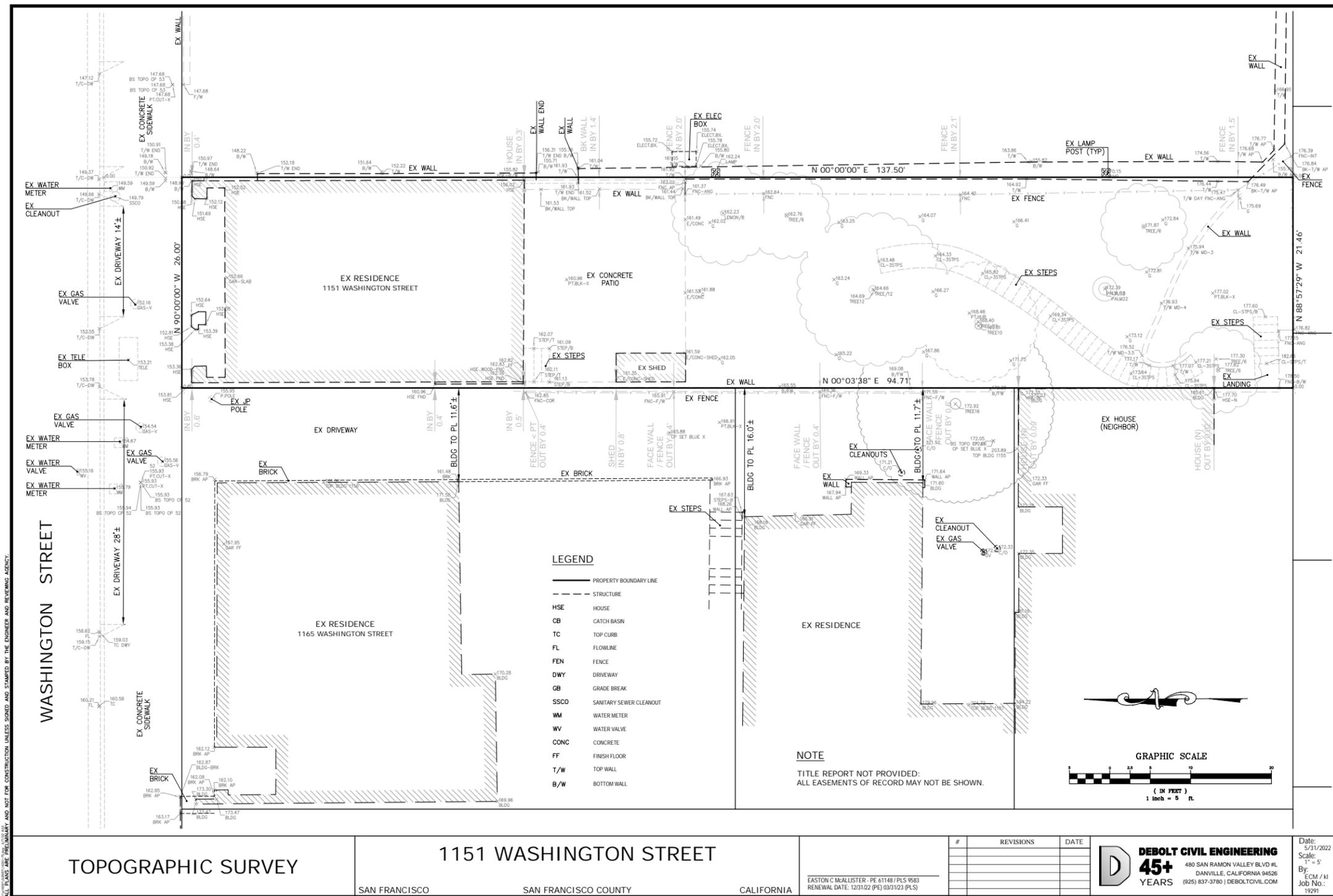


**PROJECT LOCATION**



| LEGEND |                    |
|--------|--------------------|
|        | TRANSIT STOP       |
|        | FIRE HYDRANT       |
|        | CABLE CAR TRACK    |
|        | PROJECT SITE       |
|        | 150' SITE ENVELOPE |





**AREA SUMMARY**

| LEVEL       | B   | 1     | 2     | 3     | 4     | R   | GSF    | GSF% | GFA*   |
|-------------|-----|-------|-------|-------|-------|-----|--------|------|--------|
| RESIDENTIAL | 104 | 2,818 | 2,818 | 2,661 | 2,307 | 338 | 11,046 | 93%  | 10,513 |
| PARKING     | 547 | 0     | 0     | 0     | 0     | 0   | 547    | 5%   | 0      |
| UTILITY     | 345 | 0     | 0     | 0     | 0     | 0   | 345    | 3%   | 0      |
| TOTAL       | 996 | 2,818 | 2,818 | 2,661 | 2,307 | 338 | 11,938 | 100% | 10,513 |

\* GFA per San Francisco Planning Code Sec. 102.9

**UNIT SUMMARY**

| LEVEL                                 | B   | 1     | 2     | 3     | 4     | R   | GSF    | QTY% | GFA*   |
|---------------------------------------|-----|-------|-------|-------|-------|-----|--------|------|--------|
| <b>2B</b> 2-BED / 2-BATH TOWNHOME     | 0   | 9     | 0     | 0     | 0     | 0   | 9      | 90%  | 8,448  |
| <b>3B</b> 3-BED / 3 1/2-BATH TOWNHOME | 104 | 706   | 706   | 549   | 195   | 0   | 2,260  | 10%  | 2,065  |
| TOTAL                                 | 104 | 2,818 | 2,818 | 2,661 | 2,307 | 338 | 11,046 | 100% | 10,513 |

\* GFA per San Francisco Planning Code Sec. 102.9

**OPEN SPACE AREA SUMMARY**

| LEVEL                     | B | 1 | 2 | 3   | 4   | R     | GSF   |
|---------------------------|---|---|---|-----|-----|-------|-------|
| PRIVATE USABLE OPEN SPACE | 0 | 0 | 0 | 157 | 346 | 1,458 | 1,961 |

**SDBL WAIVERS**

1. SEC. 134 - REAR YARD
2. SEC. 140 - EXPOSURE
3. SEC 155.2 - BICYCLE PARKING
4. INTERIM ZONING CONTROLS - LARGE RESIDENTIAL PROJECTS IN RM ZONING DISTRICT (Board File 201370, Resolution 10-21.)
5. SEC. 132 - FRONT YARD

**DESCRIPTION**

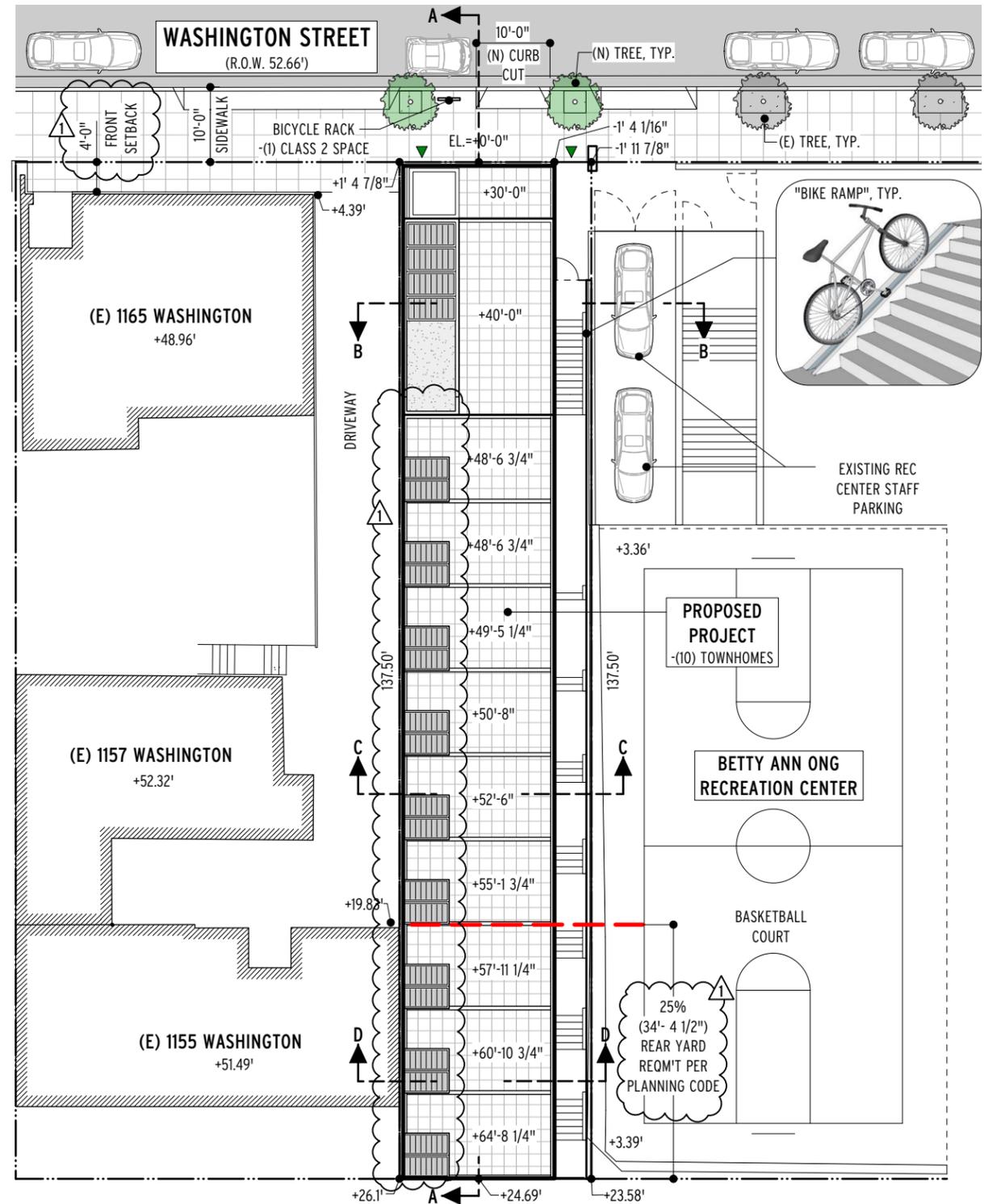
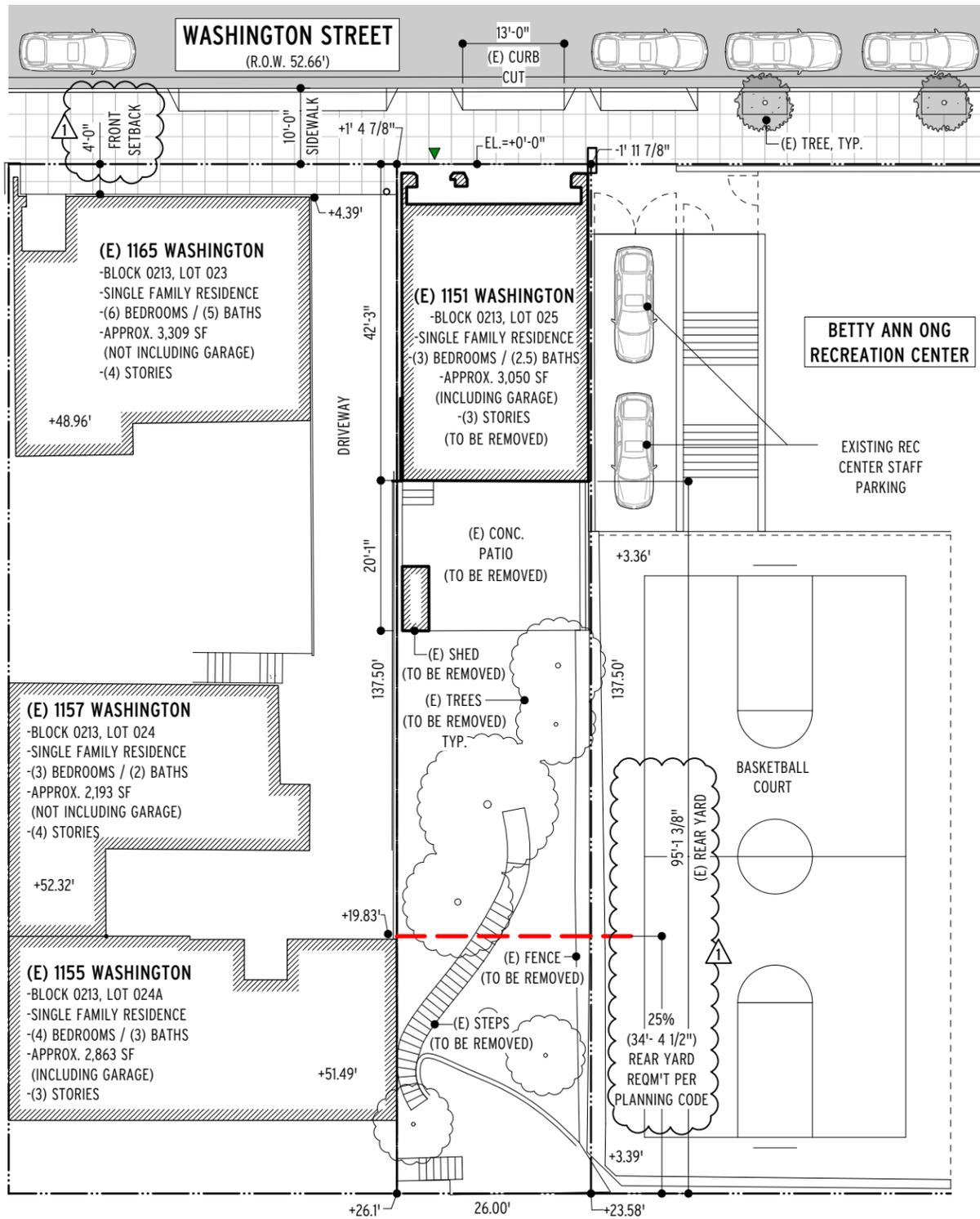
A STATE DENSITY BONUS LAW (SDBL) PROJECT CONSISTING OF 10 FOR-SALE "TOWNHOME" RESIDENTIAL UNITS.

**PLANNING DATA**

ASSESSOR PARCEL: BLOCK 0213 / LOT 025  
 ZONING: RM-3 "RESIDENTIAL-MIXED, MEDIUM DENSITY"  
 HEIGHT & BULK DISTRICT: 65-A (65 FEET)  
 LOT AREA: 3,575 SF (0.082 AC)  
 GROSS BUILDING AREA (GSF): 11,938 SF  
 GROSS FLOOR AREA (GFA): 10,513 SF  
 DWELLING UNITS: 10 TOWNHOMES  
 - 9 MARKET-RATE UNITS  
 - 1 BELOW-MARKET-RATE UNIT @ 120% AMI (PER SDBL)  
 BEDROOMS: 21  
 PRIVATE USABLE OPEN SPACE: 1,961 SF  
 - 600 SF REQ'D (60 SF/DU x 10 DU)  
 BICYCLE PARKING (CLASS 1): 10 PROVIDED  
 - 10 SPACES REQ'D  
 - USING SDBL WAIVER TO ALLOW PROVISION WITHIN UNITS  
 BICYCLE PARKING (CLASS 2): 1 PROVIDED  
 - 1 SPACE REQ'D  
 - PROVIDED WITHIN FURNISHING ZONE OF SIDEWALK PUBLIC R.O.W.  
 AUTOMOBILE PARKING: 1 SPACE  
 - NON-ASSIGNED ACCESSIBLE VAN SPACE  
 - NONE REQUIRED PER SFPC TABLE 152.1

**BUILDING DATA**

STORIES: 4 (+ BASEMENT)  
 CONSTRUCTION TYPE: TYPE VB  
 - FULLY SPRINKLERED  
 BUILDING HEIGHT: 40'-0"  
 BUILDING USE: MULTI-FAMILY RESIDENTIAL  
 OCCUPANCY TYPE: R3  
 - (10) TOWNHOME DWELLING UNITS  
 - TOWNHOME UNITS ORGANIZED INTO (5) DUPLEXES SEPARATED BY 2-HR FIRE WALLS.



**NOTE:**  
-ELEVATION DATUM  
+0'-0" = 152.40'  
ON SURVEY

0' 5' 10' 20' 40'

1" = 20'-0"

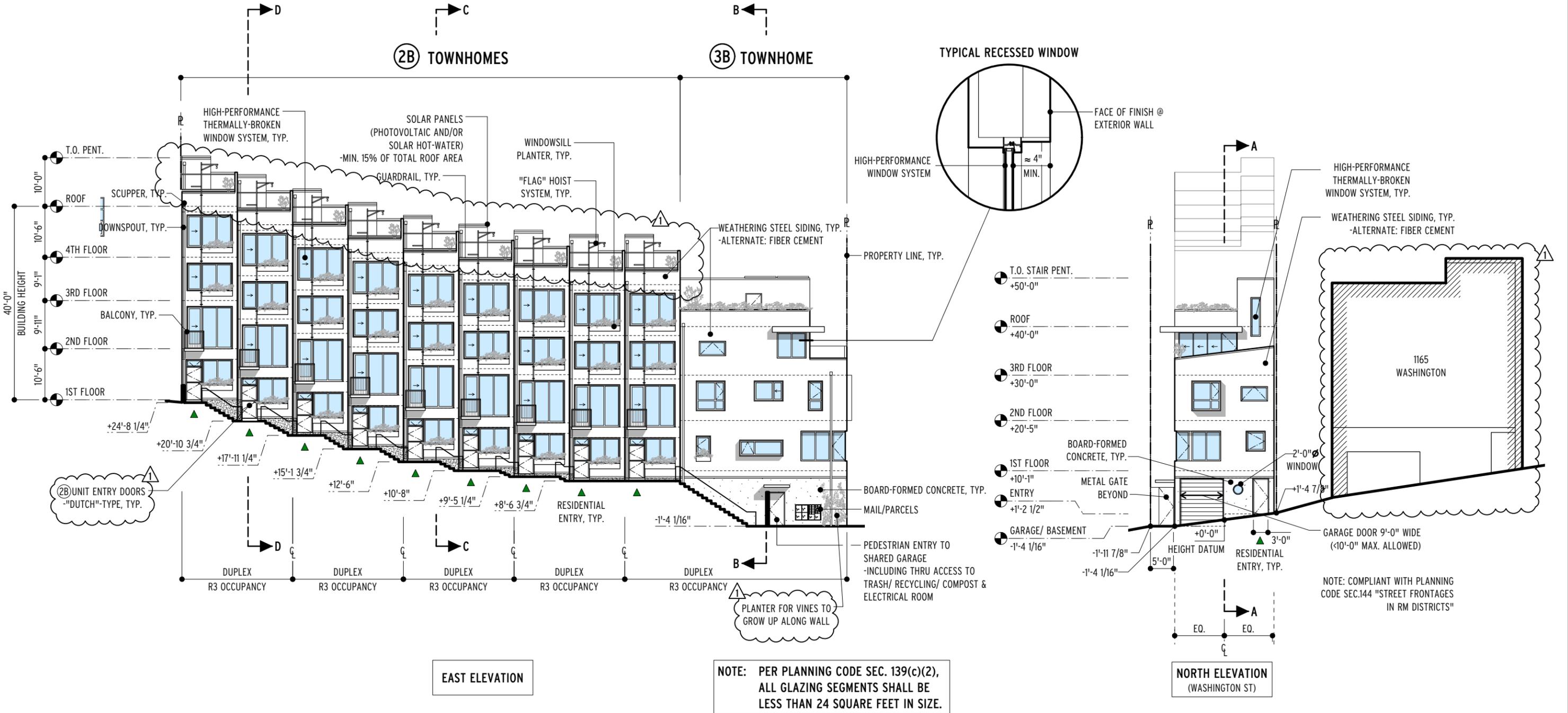


EXISTING AND PROPOSED SITE PLANS

03/17/23







0' 5' 10' 20' 40'

1" = 20'-0"

ELEVATIONS 03/17/23

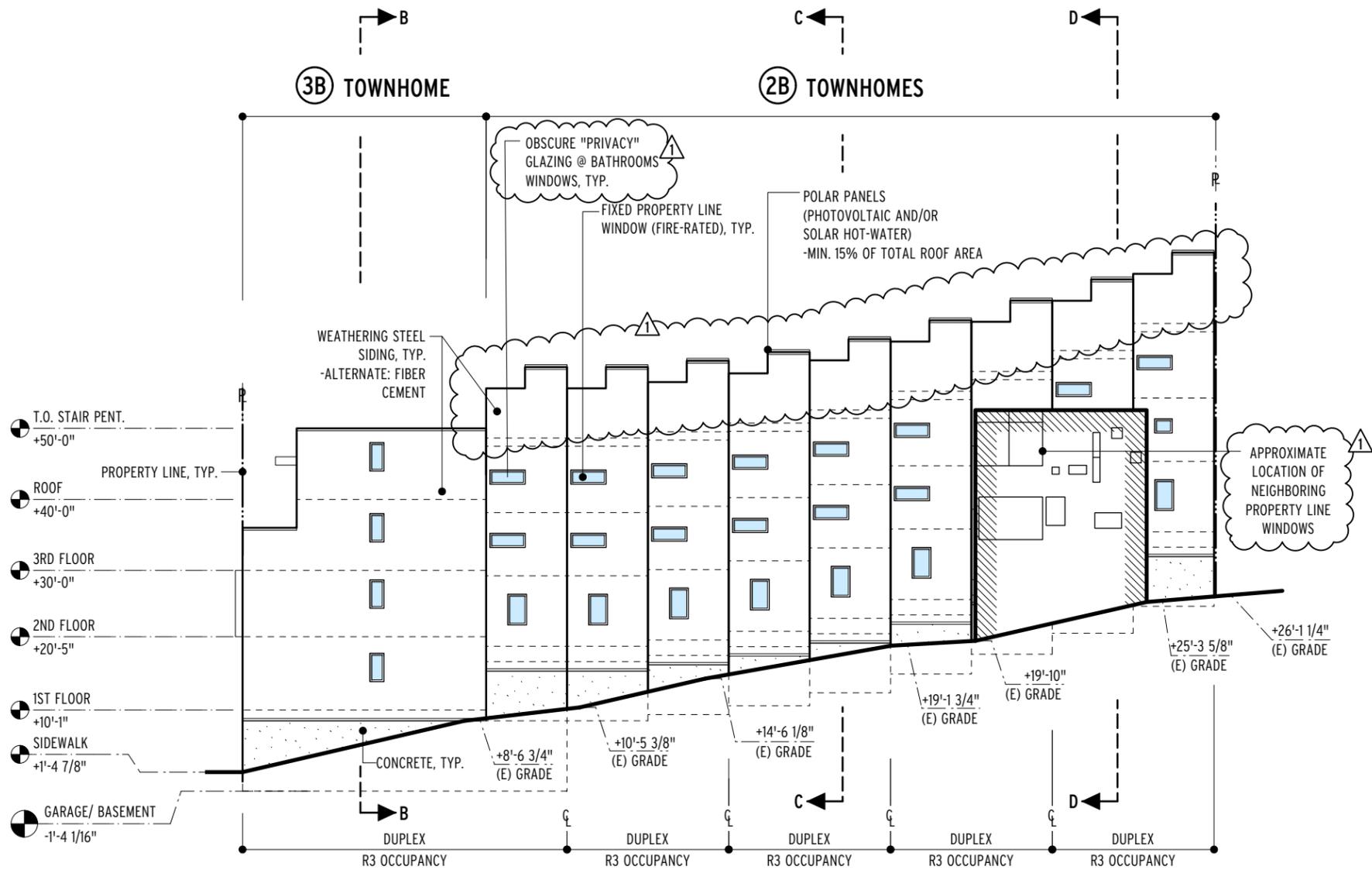
**MACY ARCHITECTURE**  
 315 Linden Street  
 San Francisco CA 94102  
 Tel 415 551 7630  
 www.macyarchitecture.com

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CONDITIONAL USE APPLICATION (CUA)

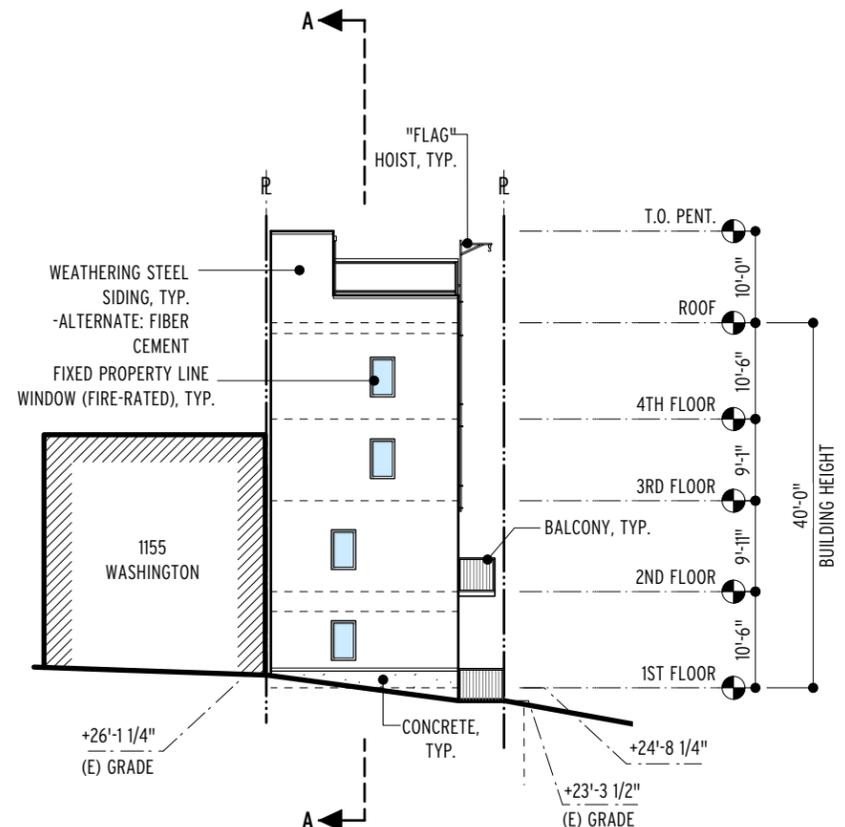
1151 WASHINGTON STREET, SAN FRANCISCO, CA 94108  
 BLOCK 0213, LOT 025

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WEST ELEVATION

NOTE: PER PLANNING CODE SEC. 139(c)(2), ALL GLAZING SEGMENTS SHALL BE LESS THAN 24 SQUARE FEET IN SIZE.

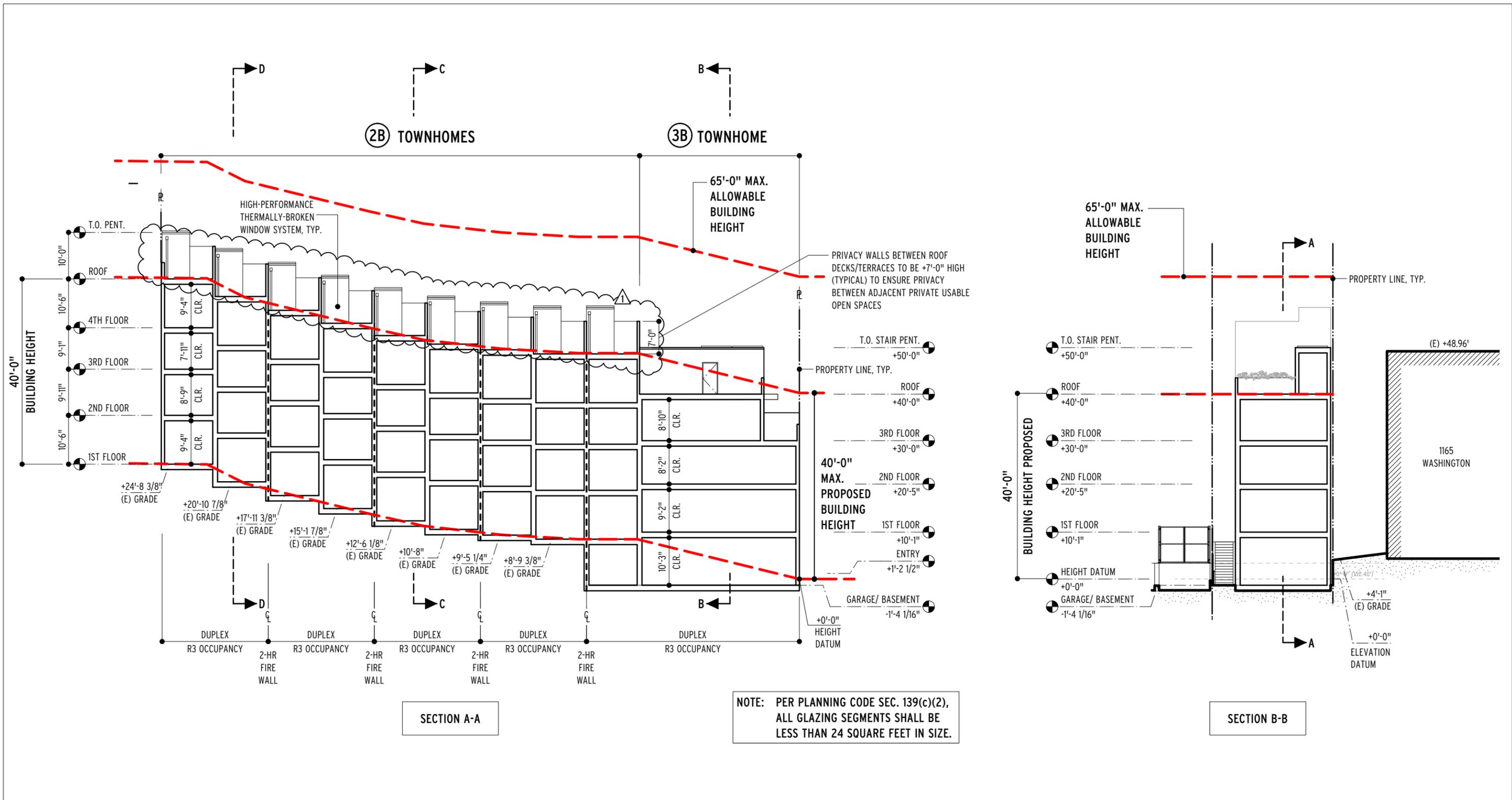


SOUTH ELEVATION

0' 5' 10' 20' 40'

1" = 20'-0"

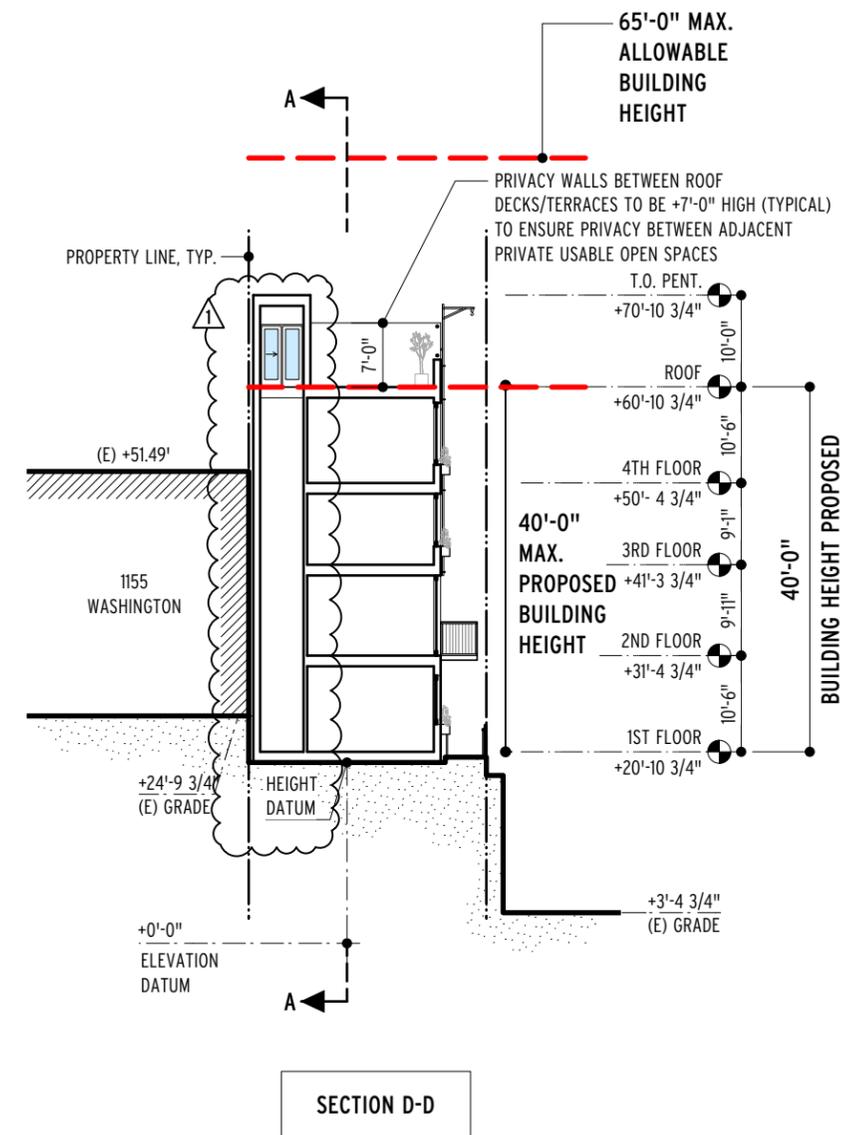
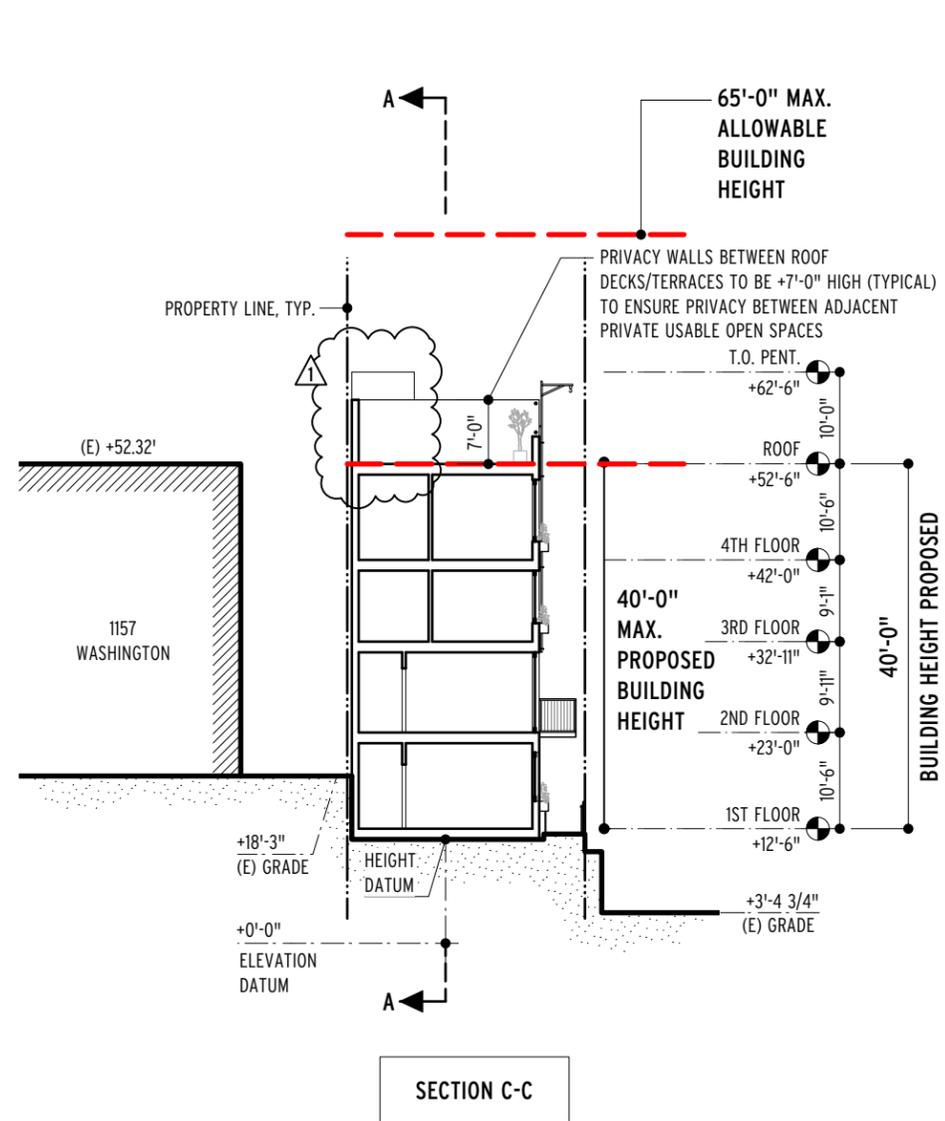
ELEVATIONS 03/17/23



0' 5' 10' 20' 40'

1" = 20'-0"

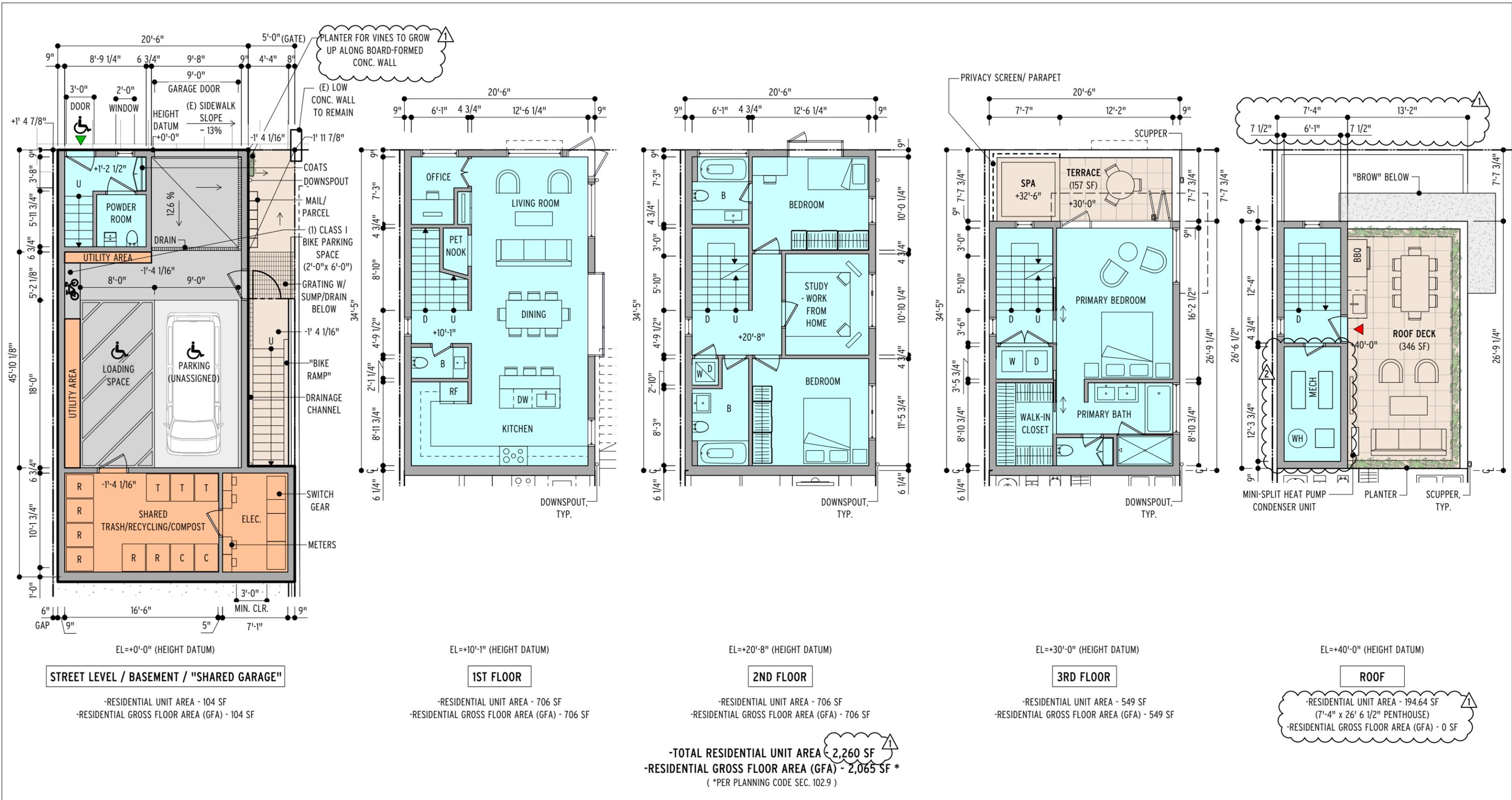
SECTIONS 03/17/23

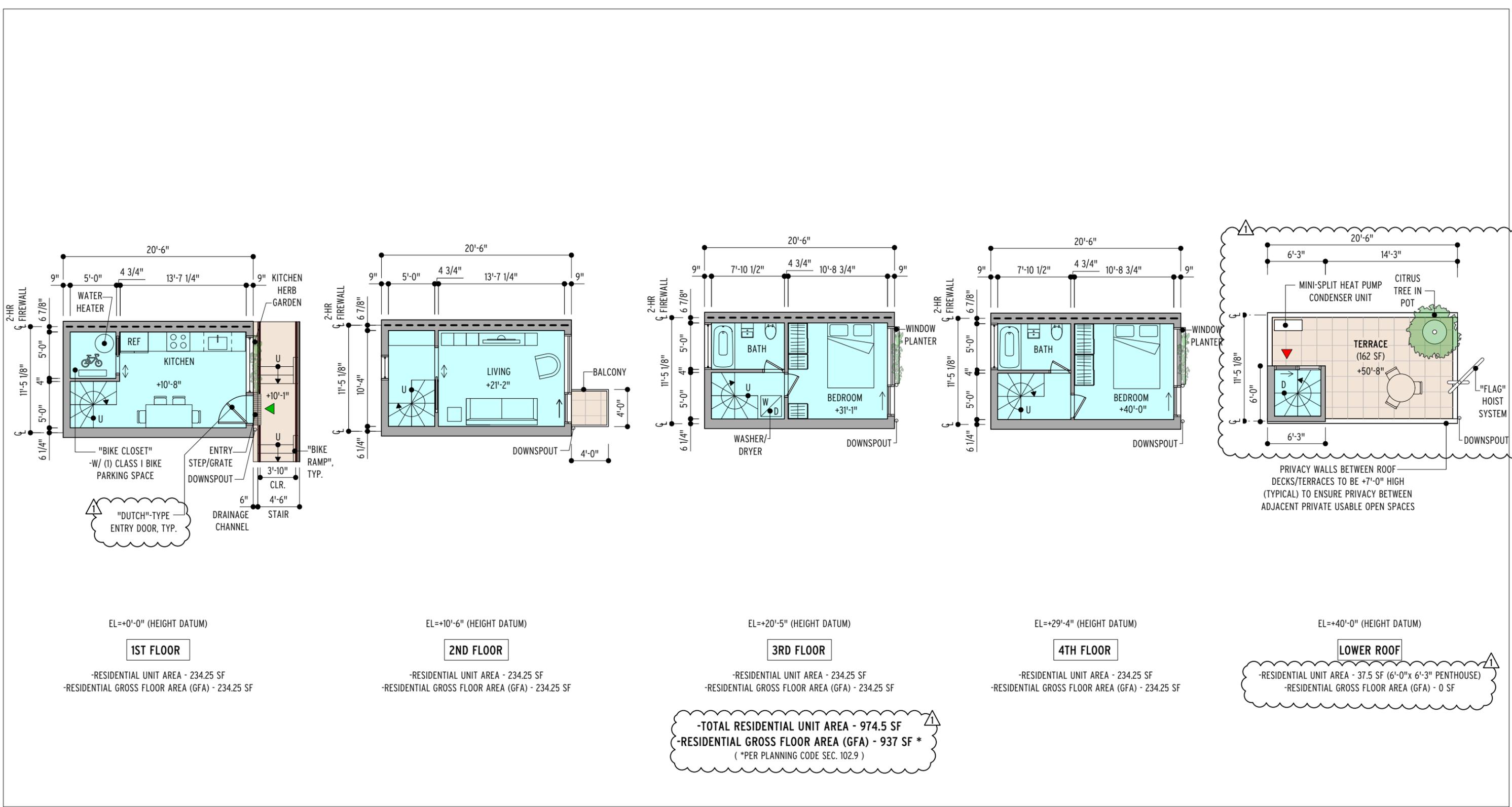


0' 5' 10' 20' 40'

1" = 20'-0"

SECTIONS 03/17/23





**-TOTAL RESIDENTIAL UNIT AREA - 974.5 SF**  
**-RESIDENTIAL GROSS FLOOR AREA (GFA) - 937 SF \***  
 (\*PER PLANNING CODE SEC. 102.9)





VIEW FROM RECREATION CENTER LOOKING WEST



STREET VIEW LOOKING SOUTHWEST



STREET VIEW LOOKING SOUTH



VIEW OF TOWNHOMES ALONG PATHWAY ADJACENT TO REC CENTER



COMPOSITE WOOD SIDING



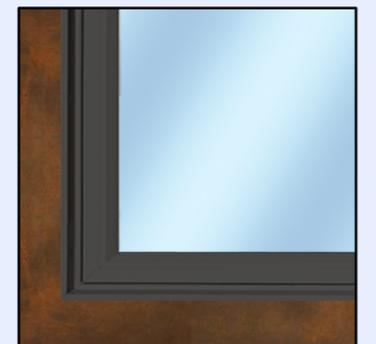
WEATHERING STEEL SIDING



WINDOW PLANTER  
(WEATHERING STEEL)



ZINC/GALVANIZED  
DOWNSPOUT & RAILINGS



HIGH-PERFORMANCE  
WINDOW SYSTEM



BOARDFORM CONCRETE